

**TIVERTON TOWN COUNCIL**  
**343 HIGHLAND ROAD**

**Regular Meeting: Monday, March 13, 2006 at 7:00**

**NOTE:** Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 seventy-two (72) hours in advance of the meeting date.

**DATE POSTED: 03-09-2006**

**1. PLEDGE OF ALLEGIANCE TO THE FLAG**

**2. ROLL CALL**

**Joanne M. Arruda  
Donald Bollin  
Paul E. Carroll  
Louise Durfee**

**Cecil E. Leonard  
Brian A Medeiros  
Arthur R. Wyman, Jr.**

**3. APPROVAL OF CONSENT AGENDA**

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

**4. BUSINESS BROUGHT BEFORE THE COUNCIL**

**A. CONSENT AGENDA:**

- (C.A.) 1.** Minutes of Regular Council Meeting February 27, 2006
- (C.A.) 2.** Minutes of Executive Session February 27, 2006
- (C.A.) 2a.** Minutes of Executive Session February 13, 2006
- (C.A.) 2b.** Minutes of Executive Session January 23, 2006
- (C.A.) 3.** Councilor Medeiros – Request Council Endorsement of Adopted Policy Book  
For Reference by Town Officials, Public Use and Website – Referred  
To Town Clerk and Town Solicitor For Update on March 27<sup>th</sup>
- (C.A.) 4.** Stone Bridge Task Force – Continuation From February 27 – Referred to  
Town Clerk and Town Solicitor For Update on March 27<sup>th</sup>
- (C.A.) 5.** Planning Board – Request Release of Prior Fiscal Years  
Planner/Consultant Carry Over Funds 1-01-107-395
- (C.A.) 6.** Councilor Leonard – Request an Update on Bay Street Area From Town  
Administrator – Referred to Town Administrator for Report On March 27<sup>th</sup>
- (C.A.) 7.** Tax Assessor - Approval of Abatements
- (C.A.) 8.** Tax Collector – Approval of Abatement

- (C.A.) 9. Peter Moniz – Inform Council on Enterprise Zone Project – State Tax Credit –  
Referred to Town Administrator and Economic Development Committee
- (C.A.) 10. Town Administrator – Request for Waiver From Sec 70-3 Excavations by  
RIDOT – Recommended by DPW Director With Two Stipulated Conditions
- (C.A.) 11. Town Administrator – Approval of Superintendent Contract for Pocasset Cemetery  
Requires Council Approval for Two Year Renewal Option
- (C.A.) 12. **Receipt of Minutes From The Following Boards, Commissions**
- |                                |                                  |
|--------------------------------|----------------------------------|
| a. Conservation Commission     | g. Stone Bridge Task Force       |
| b. Historical Cemeteries       | h. Wastewater Management Comm    |
| c. Landfill Sub Committee      | i. Harbor Comm                   |
| d. Zoning/Planning Appeals (2) | j. Budget Committee (2)          |
| e. Planning Board              | k. Library Board of Trustees (2) |
| f. Tree Commission             | l. Substance Abuse Comm          |

(C.A.) 13. **CORRESPONDENCE**

- a. Received From City of Newport Concerning St. Patrick's Day  
Parade – Already Distributed
- b. Received From Town Council East Providence Supporting  
US Senate Bill 1479 and House Bill 3427 Regarding Lyme Disease
- c. Received From Town Treasurer Regarding Full-Time Finance  
Director
- d. Received From Global Signal – Referred to Town Administrator
- e. Received From Town of Foster Regarding Senate Bill 2006S  
Relating to Education
- f. Received From Rick and Julie Fredericks – 220 Church St –  
Regarding Removal From Soil Moratorium Area – Referred to Building  
Official and DPW Director
- b. Response from DPW Director
- g. Received From Maurice Labonte – 301 Bulgarmarsh Rd  
Requesting 4 Way Stop Sign at Cathy and Russell – Referred to Police and  
DPW Director
- h. Received From Rep. Joseph Amaral to RI Public Utilities Regarding  
Potential Sale of New England Gas Co to National Grid- Referred to Town Adm
- i. Received From General Assembly Regarding House  
Resolution to Boycott all Exxon Mobile Corporation's Energy Related Products
- j. Received From Frances Lima Regarding Use of Senior Center  
Building Two Saturdays per Month – Referred to Town Administrator and Town  
Solicitor to Review Policy Regarding Use of Public Buildings

**B - OLD BUSINESS:**

1. J. Amarantes – Town Treasurer

- a. Request Town Council Approve Transfer of 90K  
From High School and 10K From Elementary School Debt Service to  
School General Account (Continued From February 27 Meeting)
2. Town Administrator – Request to Contract with Samuel J. Shamoon to  
Develop a Needs Assessment, Capital Plan and Impact Fee Ordinance .
3. Town Administrator – Minor Excavation Policy
4. Councilor Medeiros – Response From Planning Board on Comprehensive Plan –  
Requesting Joint Workshop Planning/Council on April 3rd

#### **C - APPOINTMENTS & RESIGNATIONS:**

1. Town Administrator – Appointment to Housing Authority Board  
Stephen Chase, 99 Hancock Street  
Unexpired (5 Year) Term to 6/30/2007
2. Town Administrator – Accept Resignation From Tiverton Recycle Committee  
Mr. Bill Gerlach

#### **E - NEW BUSINESS:**

1. Councilor Medeiros – Request Town Administrator Facilitate Meeting to  
Discuss Financial Town Meeting Issues
2. Planning Board – Request Town Council Submit Proposed Amendment to  
General Law 45-23 Concerning Time Frame For Decisions and Postings
3. Building Official – Gareth Eames – Request Support Resolution Opposing  
Passage of RI Legislation Items 2006-H7255 and 2006-H7355 – Regarding  
ADA Fees and Building Permit Rebates

#### **F - BOARD OF LICENSING COMMISSIONERS:**

- (C.A.) 1. Alice Hathaway, 3181 Main Road- Request Approval of Antique and  
Holiday License – Subject to Meeting All Legal Requirements
- (C.A.) 2. Ronald J. Ramos, 56 No. Main Street – Request Approval of Private  
Detective License – Subject to Meeting All Legal Requirements

#### **G – BIDS AND REQUESTS FOR PROPOSALS**

#### **H – PUBLIC HEARINGS**

1. Town Administrator – Community Development Block Grant - CDBG Application  
First of Two Public Hearings Grant
2. Planning Board – Zoning Ordinance Amendment Article XIV- Non Conforming  
Development Continued Public Hearing .

#### **L - TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS**

Public Announcements

#### **M – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS**

#### **N – TOWN SOLICITOR – ANNOUNCEMENTS, COMMENTS AND QUESTIONS**

#### **5. CLOSED EXECUTIVE SESSION**

1. Town Administrator – 42-46-5(2) – Collective Bargaining
2. Town Solicitor – 42-46-5(5) –Open Space – Land Acquisition
3. Town Solicitor – 42-46-5(5) – Litigation –New England Development -  
McInnis – New England Property Holdings

A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended.

#### **6. ADJOURNMENT**

Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”